

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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REGINALD MCDONALD, ) 2:09-CV-0438-PMP-RJJ  
Plaintiff, )  
vs. )  
JEREMY BEAN, et al., )  
Defendants. )  
ORDER

On March 23, 2010, the Court entered an Order (Doc. #8) dismissing Plaintiff's Complaint with prejudice as a result of Plaintiff's failure to comply with prior Orders of the Court permitting him to and including February 25, 2010 within which to file an Amended Compliant. On June 16, 2010, the Court entered an Order (Doc. #13) denying Plaintiff's Motion to Respond and to Reconsider (Doc. #12). Plaintiff took a timely Appeal to the United States Court of Appeals for the 9th Circuit and on August 12, 2011, the 9th Circuit Court of Appeals entered an Order vacating and remanding this Court's Order (Doc. #13) for further review.

The Court has reviewed these proceedings, and based thereon finds this Court's Order (Doc. #13) entered June 16, 2010, should be vacated and Plaintiff permitted an additional opportunity to file an Amended Complaint.

**IT IS THEREFORE ORDERED** that this Court's Order (Doc. #13) entered June 16, 2010 is hereby **VACATED**.

1           **IT IS FURTHER ORDERED** that Plaintiff's Motion to Respond and  
2 Reconsider (Doc. #12) is **GRANTED** and that Reginald McDonald shall have to and  
3 including November 4, 2011, within which to file Plaintiff's Proposed Amended  
4 Complaint.

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6 DATED: September 28, 2011.



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9 PHILIP M. PRO  
10 United States District Judge  
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